



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, DC 20460

MAR 19 2019

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

OPP Decision Numbers: 545007
EPA File Symbols: 87134-A
Product Name: SC-2
EPA Receipt Date: 09/28/2018
EPA Company Number: 87134
Company Name: CHL, LLC

Kenneth Howlett
Managing Partner
CHL, LLC
P.O. Box 481
Leominster, MA 01453

Dear Mr. Howlett:

The Agency has completed its preliminary technical screening of your application pursuant to Section 33(f)(4)(B)(i)(II) of the Federal Insecticide, Fungicide, and Rodenticide (FIFRA) Act, as amended by the Pesticide Registration Improvement Extension Act (PRIA). The Agency has determined that your application has not passed the preliminary technical screen and therefore must be rejected.

On December 17, 2018, the Agency emailed you a 10-Day Deficiency Letter dated December 3, 2018, that outlined deficiencies with the application. The following issues were identified in that letter:

Efficacy

- The product performance data that you cited are not acceptable because they were not conducted on your product or on products that are shown to be substantially similar or identical to your product's formulation. Therefore, product performance testing (810.2200-Disinfectants for Use on Environmental Surfaces and 810.2300 – Sanitizers for Use on Hard Surfaces) must be submitted to support your product's public health claims.

The 10-Day Deficiency Letter advised you to correct the deficiencies within ten business days, or your application would be rejected. After you received the letter by email on December 17, 2018, you sent an email forwarding the December 3, 2018, automated response you received that notified you that the 45/90-day preliminary technical screening timeframe for your application had passed.

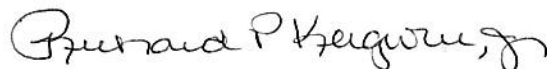
That automated response was not a determination that your application had passed the technical screening. EPA completed its preliminary technical screening prior to the completion date of the 45-day technical screen, which was December 3, 2018 (see attached document - Efficacy Technical Screen – File Symbol 87134-A). Under PRIA, when EPA determines that an application has failed that evaluation, the Agency will make every effort to provide a written notification of that the rejection within 10 business days from the date when EPA completes the preliminary technical screen. EPA provided you with that written notification within the timeframe after the 45-day technical screen had completed. To date, the agency has not received any further communication or data necessary to complete address the deficiencies.

Because the Agency has determined that your application did not pass the preliminary technical screen, the application must be rejected. Any future submissions to the agency will be considered a new application and subject to the full registration service fee, as well as another initial content screen and preliminary technical screen.

In certain cases, applicants may be eligible for a partial refund of no more than 75% of the PRIA fee where an application is rejected for failure of its preliminary screening. In this case, you received a 75% waiver of the registration service fee for this application and only paid 25%. As a result, no refund is due.

If you have questions, please contact Demson Fuller by email at fuller.demson@epa.gov or by phone at (703) 308-8062. Alternatively, you can also contact Wanda Henson by email at henson.wanda@epa.gov or by phone (703) 308-6345.

Sincerely,



Richard P. Keigwin, Jr.
Office Director
Office of Pesticide Programs

Enclosure

Technical Screen

EPA Reg#/File Symbol: 87134-A		E-Sub #:	
DP Barcode: 449932		Submission #: 1025509	
Product name: SC-2		Registrant: CHL, LLC	
Reviewer's name: Ibrahim Laniyan		Risk Manager: Demson Fuller RM 32 / Wanda Henson	
Completion due date: 12/03/2018		Completion Date: 11/30/2018	
Formulation type: Liquid <input checked="" type="checkbox"/> ; Towelettes <input type="checkbox"/> ; Spray <input type="checkbox"/> ; Solid <input type="checkbox"/> ; Textile <input type="checkbox"/> ; Aerosol <input type="checkbox"/> ; Gas <input type="checkbox"/> ; Other <input type="checkbox"/>			
Sterilant: <input type="checkbox"/> Disinfectant: <input checked="" type="checkbox"/> FC Sanitizer: <input checked="" type="checkbox"/> NF Sanitizer: <input checked="" type="checkbox"/> TB: <input type="checkbox"/> Fungicidal: <input checked="" type="checkbox"/> Virucidal: <input type="checkbox"/>			
MRID(s): N/A			
PC Code(s)	Active Ingredient Names	% wt (label)	%LCL
020502	Sodium Chlorite	2.8	2.7 (CSF) 2.66 (calculated) 2.6866 (acceptable)
	Activated solution (ppm available ClO ₂)	unknown	unknown
Label Claims: Disinfection 500 ppm available ClO ₂ CT (10 min)			
Product Lot(s)	Tested Concentration(s)	Tested at LCL	
Tested: RTU <input type="checkbox"/> Diluted <input type="checkbox"/> CT ()	Tested Dilution Rate:		
Certificate of Analysis: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Performed by testing Lab: Yes <input type="checkbox"/> No <input type="checkbox"/>		
Test Lab: N/A	ATP Cleared: Yes <input type="checkbox"/> No <input type="checkbox"/>		
Comments: Efficacy Review Product is not cleared for Technical Screen. Product specific activation and equivalency to aqueous stabilized chlorine dioxide studies were not submitted. (Cancelled me-too product since 2003) Required: <ul style="list-style-type: none"> - Activated product concentrations (at least nine test groups to determine minimal and maximum activated concentrations). - Verification of proposed diluted product concentrations after using tape water, of a minimum 200 ppm hardness, as diluent. - Equivalency establishment with aqueous stabilized chlorine dioxide. - Use of indicators (test strips or others) to determine activated and/or diluted solution concentrations before use. 			